

Respond to:

Kurt F Johnson, living soul  
Deborah Jean Welsh, living soul  
c/o 5809 HARBORD DR.  
OAKLAND CA [94611]

FILED

08 MAR 24 AM 9:55

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DISTRICT**

KURT F. JOHNSON,  
DEBORAH JEAN WELSH,

**Plaintiff,**

**Vs.**

**CASE NO. 08-1155 MMC**

EXPARTE MOTION TO SETTLE FILING FEE  
AND TO RULE UPON TRO

UNITED STATES  
BUREAU OF PRISONS,  
FDC DUBLIN,  
STATE OF CALIFORNIA,  
PAUL COPENHAVER as WARDEN as  
INDIVIDUAL,  
THERESA Y. BUTTS as ASSOCIATE WARDEN  
as INDIVIDUAL,  
THOMAS A. JONES as ASSOCIATE WARDEN  
as INDIVIDUAL,  
WILLIAM KUBITZ as JAILHOUSE  
ADMINISTRATOR as INDIVIDUAL,  
MICHAEL BERNHARDT as CAPTAIN as  
INDIVIDUAL,  
JANET AUGUSTINE as CASE MANAGER as  
INDIVIDUAL,  
TONY RIVAS as CORRECTIONAL COUNSELOR  
as INDIVIDUAL,  
ROBERT POWERS as CORRECTIONAL  
COUNSELOR as INDIVIDUAL,  
VALERIE STEWART as REGIONAL COUNSEL  
as INDIVIDUAL,  
DOES 1-50,

**Defendants,**

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**REQUEST**

Plaintiffs move the court to settle the filing fee as a matter of law. Petitioners have made numerous attempts with the clerk to have them apply their exemption towards the filing fee as a matter of law. The clerk continues to defy the law and to insist on the execution of a forma pauper declaration. Petitioner Johnson has already had the exemption applied on 3 separate appellant issues without a problem. [07-10519, 07-10423, 06-73277] We have informed the clerk and made it a part of the complaint. We are asking you to settle the matter or to deny relief so that we may go back to the appeals court where they apparently are better informed about the law.

Secondly a TRO was part of this complaint seeking relief from damages that are current, punitive, and without mitigation. Johnson is scheduled for sentencing on the 18<sup>th</sup> of March and this can be a stressful time in a relationship. Anyone with common sense on relationships would know that communication at this time is essential. The TRO should be ruled upon immediately to remedy the damages and to allow for the preservation of a marriage.

By:  //ss//  
 UNDER RESERVE WITHOUT RECOURSE  
 DEBORAH JEAN WELSH-FICTION-PLAINTIFF

By:  //ss//  
 UNDER RESERVE WITHOUT RECOURSE  
 KURT F. JOHNSON-FICTION-PLAINTIFF

**DISCLAIMER:** The sovereign natural parties by their participation with the customs and usage of trade procedures (local rules, evidence rules, civil procedures, statutes, regulations, and rules) do not infer or imply consent or acceptance, but are merely attempting to extricate themselves from the hostile coercive trespass upon their rights, title, and interest and the dishonor of fiduciaries not settling the matter in accordance with provided instructions and public policy while in all ways are seeking honor in commerce.